

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

BRANDY FERRER,

Plaintiff,

v.

NATIONAL GENERAL INSURANCE
COMPANY,

Defendant.

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Case No. 2:19-cv-00193-RSP

ORDER

Before the Court is Plaintiff's and Defendant's Agreed Motion to Sever and Abate (Dkt. No. 16), which seeks to sever and abate Plaintiff's claims (1) a declaratory judgment, (2) violations of the Texas Insurance Code, (3) bad faith, and (4) violations of the Texas Deceptive Trade Practices-Consumer Protection Act until a determination of the underinsured motorist's liability and the insured's damages are established. The Court directed Plaintiff to file a supplemental motion attaching an complaint stating only the claims that the parties desire to pursue in the severed action. (Dkt. No. 18). Plaintiff filed a notice indicating it was unopposed to the motion to sever and abate (Dkt. No. 19) and attached an Original Complaint For Extra-Contractual Causes of Action (Dkt. No. 19-1) to be severed into a separate action and abated. After consideration, the Court **GRANTS** the parties' agreed motion to sever and abate (Dkt. No. 16) and accepts Plaintiff's notice (Dkt. No. 19).

The claims in Plaintiff's Original Complaint For Extra-Contractual Causes of Action (Dkt. No. 19-1) are hereby **SEVERED** and **STAYED** pending a determination of the underinsured motorist's liability and the insured's damages. Plaintiff is **ORDERED** to file an amended complaint within 10 days setting forth only the claims being pursued in this action

at this time. (*See* Dkt. No. 18). The September 4, 2019 hearing on the parties' agreed motion to sever and abate is hereby cancelled.

SIGNED this 3rd day of September, 2019.


ROY S. PAYNE
UNITED STATES MAGISTRATE JUDGE